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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

NATHAN SMITH Plaintiff	§	
	§	
V.	§	CIVIL ACTION H-07-784
	§	
THE ABANDONED VESSEL, ET AL. Defendant.	§ § §	

ORDER

Before the Court is Plaintiff's Motion for Expedited Consideration of Plaintiff's Motion for Leave to take the Deposition of a Newly Discovered Witness or in the Alternative for Continuance and Plaintiff's Motion for Leave to take the Deposition of a Newly Discovered Witness or in the Alternative for Continuance. The Court, after considering the motions, is of the opinion that the motions should be granted. It is ORDERED:

1. Plaintiff's Motion for Expedited Consideration of Plaintiff's Motion for Leave to take the Deposition of a Newly Discovered Witness or in the Alternative for Continuance is GRANTED;

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2. Plaintiff's Motion for Leave to take the Deposition of a Newly Discovered Witness or in the Alternative for Continuance is GRANTED IN PART AND DENIED IN PART.

3. Plaintiff is GRANTED leave to take the deposition of Garrett Engelking on December 19, 2008.

Signed at Houston, Texas this 18 day of December 2008.

United States District Judge